



Substitute Senate Bill No. 259

Public Act No. 26-5

AN ACT CONCERNING FEMALE GENITAL MUTILATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2026*) (a) Except as provided in subsection (b) of this section, a person is guilty of performing female genital mutilation when such person knowingly circumcises, excises or infibulates the whole or any part of the labia majora or labia minora or clitoris of a person under eighteen years of age.

(b) A surgical operation is not a violation of subsection (a) of this section if such operation is (1) (A) necessary to the health of the person on whom it is performed, (B) for a medical purpose, and (C) performed by a physician licensed pursuant to chapter 370 of the general statutes or other licensed health care professional acting within the scope of their profession, or (2) performed on a person in labor or who has just given birth and for a medical purpose related to such labor or birth by (A) a physician licensed pursuant to chapter 370 of the general statutes, (B) a nurse-midwife licensed pursuant to chapter 377 of the general statutes, (C) a person in training to become such a physician or nurse-midwife, or (D) other licensed health care professional acting within the scope of their profession. For purposes of this subsection, a surgical operation is not (i) necessary to the health of the person on whom it is performed, or (ii) for a medical purpose, if the basis for such necessity or purpose is

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based on the belief of the person performing the operation or any other person that such operation is required as a matter of custom or ritual.

(c) Performing female genital mutilation is a class D felony.

Sec. 2. Section 54-86g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

(a) In any criminal prosecution of an offense involving female genital mutilation, assault, sexual assault or abuse of a child twelve years of age or younger, the court may, upon motion of the attorney for any party, order that the testimony of the child be taken in a room other than the courtroom in the presence and under the supervision of the trial judge hearing the matter and be televised by closed circuit equipment in the courtroom or recorded for later showing before the court. Only the judge, the defendant, the attorneys for the defendant and for the state, persons necessary to operate the equipment and any person who would contribute to the welfare and well-being of the child may be present in the room with the child during his testimony, except that the court may order the defendant excluded from the room or screened from the sight and hearing of the child only if the state proves, by clear and convincing evidence, that the child would be so intimidated, or otherwise inhibited, by the physical presence of the defendant that a compelling need exists to take the testimony of the child outside the physical presence of the defendant in order to insure the reliability of such testimony. If the defendant is excluded from the room or screened from the sight and hearing of the child, the court shall ensure that the defendant is able to observe and hear the testimony of the child, but that the child cannot see or hear the defendant. The defendant shall be able to consult privately with his attorney at all times during the taking of the testimony. The attorneys and the judge may question the child. If the court orders the testimony of a child to be taken under this subsection, the child shall not be required to testify in court at the proceeding for which the testimony was taken.

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(b) In any criminal prosecution of an offense involving female genital mutilation, assault, sexual assault or abuse of a child twelve years of age or younger, the court may, upon motion of the attorney for any party, order that the following procedures be used when the testimony of the child is taken: (1) Persons shall be prohibited from entering and leaving the courtroom during the child's testimony; (2) an adult who is known to the child and with whom the child feels comfortable shall be permitted to sit in close proximity to the child during the child's testimony, provided such person shall not obscure the child from the view of the defendant or the trier of fact; (3) the use of anatomically correct dolls by the child shall be permitted; and (4) the attorneys for the defendant and for the state shall question the child while seated at a table positioned in front of the child, shall remain seated while posing objections and shall ask questions and pose objections in a manner which is not intimidating to the child.

Sec. 3. Section 54-86h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2026*):

No witness shall be automatically adjudged incompetent to testify because of age and any child who is a victim of female genital mutilation, assault, sexual assault or abuse shall be competent to testify without prior qualification. The weight to be given the evidence and the credibility of the witness shall be for the determination of the trier of fact.

Sec. 4. (NEW) (*Effective October 1, 2026*) Any person aggrieved by a violation of section 1 of this act may bring a civil action in the superior court for the judicial district where such person resides against the person or persons who committed such violation to recover compensatory damages, punitive damages or any other relief deemed appropriate by the court.

Sec. 5. (NEW) (*Effective October 1, 2026*) In all actions pursuant to

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section 4 of this act, the immunity between parent and child in such action brought by a child against such child's parent or on behalf of a child against such child's parent is abrogated.

Sec. 6. (NEW) (*Effective October 1, 2026, and applicable to all cases filed on or after said date*) Notwithstanding the provisions of section 52-577 of the general statutes, no action to recover damages for personal injury to a person under eighteen years of age caused by the performance of female genital mutilation upon such person may be brought by such person later than thirty years from the date such person attains the age of eighteen.

Governor's Action:

Approved May 7, 2026